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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,903	03/03/2000	Shane M Rogers	NORT-0045-US(118569SCUS01	5600

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Dan C Hu
Trop Pruner & Hu PC
8554 Katy Freeway
Suite 100
Houston, TX 77024

EXAMINER

NGUYEN, STEVEN H D

ART UNIT PAPER NUMBER

2665

DATE MAILED: 08/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

10

Office Action Summary

Application No.

09/517,903

Applicant(s)

ROGERS ET AL.

Examiner

Steven HD Nguyen

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18,20-31 and 34-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18,20-31 and 34-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-11, 13-18, 20-23, 26-31, 34, 36-38, 41 and 43-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Curry (USP 6078582).

Regarding claims 1-2, 20, 28, 31, 34 and 36, Curry discloses (Fig 6-11 and col. 1, lines 10 to col. 17, lines 21) an apparatus for use in a telephony system comprising a digital interface for communicating with a stimulus device (Fig 6, Ref 72A has an digital interface for communicating with telephone 64A); a packet interface for communicating with a packet-based network (Fig 72A has packet interface for communicating with internet 74); and a controller (Fig 7-8 has a controller for encapsulating the received signaling message into a internet packet for transmitting via internet, See Abstract and Fig 9A, Ref 130) to receive stimulus control information from the digital interface and to encapsulate the stimulus control information into one or more packets for transmission over the packet-based network through the packet interface.

Regarding claim 5, Curry discloses the controller adds a destination address of a telephone switch system into the one or more packets (Col. 15, lines 15-44, IP address of destination gateway 72B).

Regarding claim 6, Curry discloses the controller adds a destination address of a stimulus telephone into the one or more packets (Col. 15, lines 15-44, calling number).

Regarding claims 7-11 and 22-24, Curry discloses the stimulus control information is according to a first stimulus language, and wherein the stimulus control information remains in the first stimulus language after encapsulation which performs by adding a header using TCI/IP protocol (Col. 15, lines 15-44, the received signaling message is encapsulated into IP packet without translating the received signaling message into a different form).

Regarding claims 15, 21, 29-30, 38 and 46, Curry discloses comprising a receiver (Fig 6, Ref 72B) to receive the one or more packets, the receiver including an element to decapsulate the one or more packets to extract the stimulus control information for transmitting to interface which couples the stimulus device (Fig 9A, Ref 132, the destination gateway decapsulating the packet to obtain the signaling message for sending to the interface which couples to the stimulus device).

Regarding claim 16, Curry discloses the receiver is associated with a second stimulus device, and wherein the extracted stimulus control information is in a native stimulus language of the second stimulus device (Fig 6, Ref 72B decapsulates the packet to obtain the signaling message and 64B is the second stimulus device).

Regarding claims 17-18, 37, 41 and 43-45, Curry discloses the stimulus control information includes at least one of hook state information and key press event information and a command selected from the group consisting of a handset volume control command, a handset connect/disconnect command, an audio stream open/close command, and a ringer activation command (Col. 14, lines 9-17 and Fig 9, 136 and 146).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 3-4, 12-14, 25-27, 35, 39-40, 42 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry (USP 6078582).

Regarding claims 3-4, Curry does not disclose the digital interface is UART or time compression multiplexing interface. However, the examiner takes an official notice that both the concept and the advantages of an UART and TCM interface are well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply these interfaces into a gateway for receiving and transmitting a signal.

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Regarding claim 12-14, 25-27, 39, 42 and 47-48, Curry does not disclose the claimed invention. However, the examiner takes an official notice that both the concept and the advantages of UDP header, scrambles the stimulus message before encapsulating and encrypts the packet are well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply these interfaces into a gateway for receiving and transmitting a signal. The motivation would have been to provide a reliable and security for packets which transmits via Internet.

Regarding claims 35 and 40, Curry does not disclose an interface card adapted to be inserted into a slot of the stimulus device that comprises the digital interface and the packet interface and the controller. However, the examiner takes an official notice that both the concept and the advantages of integrate the digital interface and the packet interface and the controller into a circuit board for plug into a slot are well known and expected in the art.

Response to Arguments

6. Applicant's arguments filed 6/14/2003 have been fully considered but they are not persuasive.

In response to pages 11-12, the applicant states that Curry does not disclose a step of encapsulating the stimulus control information that is received from the stimulus device. In reply, Curry disclose the signaling message which is received from telephone such as off hook from the stimulus device and encapsulating the signaling message into a packet for transmitting via internet; See Abstract wherein the signaling packet "stimulus control information" encapsulating by IP packet as stated in claim 1, 20, 28 and 34 of paragraph 2 of the final office

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action. Furthermore, the applicant states that Curry fails to disclose a step of decapsulating the IP packet to recover the stimulus message. In reply, Curry discloses the IP packet which contains the signaling message such as off hook will be recovered at a receiver in a native form by decapsulating the payload of the IP packet and forward it to the receiver as stated in claim 30 of paragraph 2 of the final office action. So, the rejection maintains.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barker discloses.

Barker (USP 6470020) discloses a method for integrating between stimulus signaling and message protocol.

Christie (USP 6445695) discloses a system and method for supporting the device that can not provide service by itself.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to read 'Steven HD Nguyen', with a long horizontal line extending to the right.

Steven HD Nguyen
Primary Examiner
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8/12/2003